

STATE OF CALIFORNIA
OFFICE OF ADMINISTRATIVE LAW

In re:

STATE WATER RESOURCES CONTROL BOARD

REGULATORY ACTION:

Title 23, California Code of Regulations

Adopt sections 3949

NOTICE OF APPROVAL OF REGULATORY
ACTION

Government Code Section 11349.3

OAL File No. 06-0705-02 S

This rulemaking action defines the Lower San Joaquin River Watershed, to which this TMDL applies. This action also defines "nonpoint source land uses" as all irrigated lands, "nonpoint source discharges" as discharges from irrigated lands, and "irrigated lands" as land where water is applied for producing crops. This action also requires dischargers of irrigation return flows from irrigated lands to meet one of four conditions, establishes salinity base load allocations and real-time load allocations for nonpoint source dischargers. An apportionment method for distributing load allocations among nonpoint source dischargers is also included. Compliance with the load allocations, depending on the location of the discharge, threat to water quality and type of water year, is required within eight to 20 years from the effective date of the implementation of the TMDL. This action also requires new National Pollutant Discharge elimination System ("NPDES") permitted sources to comply with the waste load allocations upon commencement of the discharge, and existing NPDES discharger to comply within 20 years from the effective date for dry water years and 16 years from the effective date for all other water year types. The Regional Board must review and update the load allocations and waste load allocations every six years from the effective date, and incorporate load allocations and conditions into the waste discharge requirements or waivers within two years of the effective date.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code.

DATE: 07/21/06



HOLLY G. STOUT

Staff Counsel

for: WILLIAM L. GAUSEWITZ
Director

Original : Celeste Cantu, Executive Director
cc : Joanne Cox